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Black Lives Matter: Bridging the Gap Between Accountability and Justice

Nicole Chabloz*

On May 25, 2020, our Nation mourned the loss of George Floyd, a Black man who unjustly lost his life to police violence.¹ In response to George Floyd's use of a counterfeit twenty-dollar bill,² Officer Derek Chauvin of the Minneapolis Police Department—ignoring bystanders and twenty-seven cries for help from George Floyd stating that he could not breathe—unreasonably and disproportionately knelt on his neck for nine minutes and twenty-nine seconds.³ Jerry W. Blackwell, one of the prosecutors of this case, emphasized this number in his opening statement: “The most important numbers you will hear in this trial are nine, two nine.”⁴ These nine minutes and twenty-nine seconds were filled with nothing but panic and horror for George Floyd.⁵ However, Chauvin remained unbothered and inattentive in his position of power—blatantly disregarding human life with no trace of compassion or empathy—while George Floyd uttered some of his last words: “Mom, love you. Love you. Tell my kids I love them. I’m dead.”⁶

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¹ See Evan Hill et al., *How George Floyd Was Killed in Police Custody*, N.Y. TIMES (May 31, 2020), <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>.

² Jemima McEvoy, *Cashier Feels ‘Guilt’ About Flagging George Floyd’s Counterfeit \$20 Bill: ‘This Could’ve Been Avoided’*, FORBES (Mar. 31, 2021), <https://www.forbes.com/sites/jemimamcevoy/2021/03/31/cashier-feels-guilt-about-flagging-george-floyds-counterfeit-20-bill-this-couldve-been-avoided/?sh=b2682d967e55>.

³ Bill Hutchinson, *George Floyd’s voice haunted Derek Chauvin murder trial*, ABC NEWS (Apr. 20, 2021), [https://abcnews.go.com/US/george-floyds-voice-haunted-derek-chauvin-](https://abcnews.go.com/US/george-floyds-voice-haunted-derek-chauvin-murder-)

[trial/story?id=77185802#:~:text=%22Tell%20my%20kids%20I%20love%20them%22%20we%20re%20Floyd's%20final%20words.&text=The%20former%20Minneapolis%20police%20officer,him%20on%20May%2025%2C%202020; see also Nicholas Bogel-Burroughs, *Prosecutors say Derek Chauvin knelt on George Floyd for 9 minutes 29 seconds, longer than initially reported.*, N.Y. TIMES \(Mar. 30, 2021\), <https://www.nytimes.com/2021/03/30/us/derek-chauvin-george-floyd-kneel-9-minutes-29-seconds.html>.](https://abcnews.go.com/US/george-floyds-voice-haunted-derek-chauvin-murder-trial/story?id=77185802#:~:text=%22Tell%20my%20kids%20I%20love%20them%22%20we%20re%20Floyd's%20final%20words.&text=The%20former%20Minneapolis%20police%20officer,him%20on%20May%2025%2C%202020;see%20also%20Nicholas%20Bogel-Burroughs,%20Prosecutors%20say%20Derek%20Chauvin%20knelt%20on%20George%20Floyd%20for%209%20minutes%2029%20seconds,%20longer%20than%20initially%20reported.)

⁴ Burroughs, *supra* note 3.

⁵ See Hutchinson, *supra* note 3.

⁶ See *id.*

Unfortunately, this is a story that the United States knows all too well.⁷ Our Nation has a long history of police violence against Black Americans due to the color of their skin, and this violence is undeniably still in effect today.⁸ This is evidenced not only by the death of George Floyd, but also by the tragic and senseless violence resulting in the recent deaths of Trayvon Martin, Tamir Rice, Michael Brown, Eric Garner, Philando Castile, Breonna Taylor, and Elijah McClain—among many other Black Americans who have been inadequately recognized and unjustly overshadowed.⁹

As a result of this injustice, George Floyd's death reignited a movement, calling for Americans to #SayTheirNames and to shift the focus from identifying victims of police brutality by the circumstances and officers that killed them to their individual humanity and the positive characteristics that defined them during their lifetimes.¹⁰ This movement became the largest mass protest movement in U.S. history, as Americans collectively protested in large cities and small towns across the nation demanding accountability, justice, and an end to police violence motivated by racial discrimination.¹¹ Further, nearly 170 Confederate symbols were renamed or removed,¹² insensitive product logos were replaced,¹³ corporations took steps to become more diverse and inclusive,¹⁴ and policing reform laws were introduced.¹⁵ Ultimately, over the next year, "calls for racial justice would touch seemingly every aspect of American life on a scale that

⁷ See #SayTheirNames, <https://sayevery.name/> (highlighting names of Black people killed by U.S. law enforcement, civilians, and unknown individuals).

⁸ Caitlin O'Kane, "Say their names": The list of people injured or killed in officer-involved incidents is still growing, CBS NEWS (June 8, 2020), <https://www.cbsnews.com/news/say-their-names-list-people-injured-killed-police-officer-involved-incidents/>.

⁹ See *id.*; Lucy Tompkins, *Here's What You Need to Know About Elijah McClain's Death*, N.Y. TIMES (Feb. 23, 2021), <https://www.nytimes.com/article/who-was-elijah-mcclain.html>.

¹⁰ O'Kane, *supra* note 8.

¹¹ Audra D. S. Burch et. al., *The Death of George Floyd Reignited a Movement. What Happens Now?*, N.Y. TIMES (Apr. 20, 2021), <https://www.nytimes.com/2021/04/20/us/george-floyd-protests-police-reform.html>.

¹² *Id.*

¹³ Ben Kessler, *Aunt Jemima brand to change name, remove image that Quaker says is "based on a racial stereotype"*, NBC NEWS (June 17, 2020), <https://www.nbcnews.com/news/us-news/aunt-jemima-brand-will-change-name-remove-image-quaker-says-n1231260>.

¹⁴ See Chauncey Alcorn, *Band-Aid will make black and brown flesh-toned bandages*, CNN BUS. (June 12, 2020), <https://www.cnn.com/2020/06/12/business/black-band-aids/index.html>.

¹⁵ Burch et al., *supra* note 11.

historians say had not happened since the civil rights movement of the 1960s.”¹⁶ Above all, this movement made one thing overwhelmingly clear: “Black lives matter.”¹⁷

On April 20, 2021, time froze as our Nation anxiously awaited the jury’s verdict.¹⁸ We waited a long time to find out what we already knew: Derek Chauvin murdered George Floyd.¹⁹ However, despite the overwhelming amount of evidence, Americans were still afraid that Chauvin would walk free.²⁰ Van Jones echoed the sentiment felt by many Americans: “This end of this trial took too long to get to, after too much marching and too many tears. Even with all this evidence, people woke up this morning afraid to hope . . . That means we need real change.”²¹ Americans ultimately expressed a lack of confidence in this trial because it is extremely rare that officers involved in deadly, high-profile tragedies face consequences.²² Further, the only officer convicted of murder in Minnesota state history is a Black man who had killed a white woman named Justine Ruszczyk.²³ Accordingly, it is clear that systemic racism runs through our Nation’s veins.

Despite the anxiousness of many Americans, Chauvin was found guilty on all three counts: second-degree murder, third-degree murder, and second-degree manslaughter.²⁴ This was a huge victory regarding holding police officers accountable for police violence resulting from racial

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ See Issac Bailey et.al., *Why I’m not celebrating after the Chauvin verdict*, CNN (Apr. 21, 2021), <https://www.cnn.com/2021/04/20/opinions/chauvin-verdict-reaction-opinion-roundup/index.html>.

¹⁹ See *id.*

²⁰ *Id.*

²¹ *Id.*

²² Emma Tucker et al., *Why it’s rare for police officers to be convicted of murder*, CNN (Apr. 21, 2021), <https://www.cnn.com/2021/04/20/us/police-convicted-murder-rare-chauvin/index.html>.

²³ Vanessa Romo, *Ex-Minneapolis Officer Sentenced to 12 ½ Years in Death Of Unarmed 911 Caller*, NAT’L PUB. RADIO (June 7, 2019), <https://www.npr.org/2019/06/07/730691678/ex-minneapolis-officer-sentenced-to-12-1-2-years-in-death-of-unarmed-911-caller>.

²⁴ Janelle Griffith & Corky Siemaszko, *Derek Chauvin guilty of murder in George Floyd’s death*, NBC NEWS (Apr. 20, 2021), <https://www.nbcnews.com/news/us-news/derek-chauvin-verdict-reached-trial-over-george-floyd-s-death-n1264565>.

discrimination.²⁵ However, according to the Minnesota Attorney General, this is only accountability and a good “first step towards justice” —not justice itself.²⁶ “Justice implies true restoration,” and therefore, justice will not be achieved until tragedies like these stay in the past and each and every individual is treated with equal protection under the law—regardless of race.²⁷ The American Civil Liberties Union shared a similar statement: “While today’s verdict is a small win for police accountability and may help heal a grieving community, the systems that allowed George to be murdered—ripping him away from his family and the communities that loved him so much—remain fully intact.”²⁸ In fact, devastatingly and just moments before the verdict was delivered and Americans erupted in cheer and happy tears, a sixteen-year-old Black teenager was fatally shot by the police in Columbus, Ohio.²⁹ An investigation is pending.³⁰ Although the facts remain unclear in Ma’Khia Bryant’s tragic death, it is clear that we still have a long way to go in the fight for justice.³¹

However, Abby Phillip was able to find a silver lining in George Floyd’s fight for justice: “So much attention has been paid to Derek Chauvin’s lack of humanity towards George Floyd, but I can’t stop thinking about the powerful humanity of all the bystanders who tried to intervene to save his life. This verdict would not have been possible without them.”³² Abby’s statement highlights that real change is needed and that change must come from within us. The individuals calling out for help as they witnessed the events that unfolded on May 25, 2020 discerned right from wrong and acted

²⁵ See *id.*

²⁶ Vanessa Romo, *Minnesota Attorney General Calls Chauvin Guilty Verdict ‘First Step’ Toward Justice*, NAT’L PUB. RADIO (Apr. 20, 2021), <https://www.npr.org/sections/trial-over-killing-of-george-floyd/2021/04/20/989284035/minnesota-attorney-general-calls-chauvin-guilty-verdict-first-step-in-justice>.

²⁷ *Id.*

²⁸ Reuters, *Reactions to Conviction of Derek Chauvin in George Floyd’s Death*, VOA NEWS (Apr. 20, 2021), <https://www.voanews.com/usa/reactions-conviction-derek-chauvin-george-floyds-death>.

²⁹ Amir Vera et al., *Ohio officials release more body cam video of fatal police shooting of Black teen and await the facts*, CNN (Apr. 21, 2021), <https://www.cnn.com/2021/04/21/us/ohio-columbus-police-shooting-15-year-old/index.html>.

³⁰ *Id.*

³¹ See *id.*

³² Abby D. Phillip (@abbydphillip), TWITTER (Apr. 20, 2021, 6:10 PM), <https://twitter.com/abbydphillip/status/1384645611258105858>.

upon the inequality that they saw. They set the example that our country needed. Now—in the name of justice—it is up to us to follow it.

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